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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/694,048

10/28/2003

Kazuma Sugahara

2003-1539

3870

513 7590 04/17/2008

WENDEROTH, LIND & PONACK, L.L.P.

2033 K STREET N. W.

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WASHINGTON, DC 20006-1021

EXAMINER

BEAUCHAINE, MARK J

ART UNIT

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04/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/694,048	<b>Applicant(s)</b> SUGAHARA ET AL.	
	<b>Examiner</b> MARK J. BEAUCHAINE	<b>Art Unit</b> 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-21 is/are allowed.
- 6) ☒ Claim(s) 22 and 27-31 is/are rejected.
- 7) ☒ Claim(s) 23-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

The amendment to the specification filed 14 March 2008 is accepted.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 5,011,457 by Takatani ("Takatani") in view of Patent number 1,784,707 by Porter ("Porter"). The coin stacking apparatus disclosed by Takatani comprises coin passage 15, conveying mechanism 21 and 23, coin stacking section 60 corresponding to an end portion of said coin passage, and coin feeding member 24 (see Figures 15E and 15F). Said coin feeding member sequentially stacks coins in said coin stacking section substantially vertically upwardly in a stacking direction in a direction that generally corresponds to a thickness direction to the coins.

Said feeding member comprises contact portion 24A protruding into said coin stacking section, and rotates with said contact portion contacting a conveyed coin so as

to cause said conveyed coin to pass over said contact portion. Said feeding member further comprises a toothed roller having circumferentially arranged toothed portions as said contact portion. Said toothed portions include a push surface 24A and a lifting surface 24B. Furthermore, said rotation of said feeding member causes the trailing edge of said conveyed coin to be displaced in the stacking direction so that the leading edge of a subsequently conveyed coin is capable of entering between the conveyed coin and said contact portion.

Takatani fails to disclose a coin presser mechanism that presses an upper surface of an uppermost stacked coin downwardly by dead weight. Porter teaches a stacking apparatus of stacked articles comprising a presser mechanism 16 that downwardly presses the upper surface of an uppermost one of a stack of articles by the dead weight of said presser mechanism (see Figures 1 and 2) for the purpose of preventing stacked articles from becoming unaligned while in a stack. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the presser mechanism configuration of Porter into the apparatus of Takatani for the purpose of preventing stacked articles from becoming unaligned while in a stack.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takatani in view of Porter as applied to claim 22 above, and further in view of Patent Number 4,800,997 by Ozeki ("Ozeki"). Takatani/Porter fails to disclose said coin feeding member as being adjustable. Ozeki teaches a coin stacking apparatus

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comprising coin feeding member 24 (see Figures 1 and 2) having a cylindrical friction surface as a contact portion and a position in respect to coin passage 4 that is adjustable in accordance with the diameter of a coin for the purpose of permitting a single apparatus to process a variety of coin denominations. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the coin feeding member of Ozeki into the apparatus of Takatani/Porter for the purpose of permitting a single apparatus to process a variety of coin denominations.

### ***Allowable Subject Matter***

Claims 12-21 are allowed. Claims 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments with respect to claims 22-31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK J. BEAUCHAINE whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
Unit 3653

mjb